

REMARKS

Claims 1-33 are pending in the application. Claims 1-32 stand rejected. Assignee sincerely thanks the examiner for indicating that claim 33 is allowable. Claims 1, 20, and 33 are independent claims. Claims 3, 4, 6, and 12 have been canceled herein. Assignee traverses the rejections as to claims 1, 2, 5, 7-11, and 13-32.

Claim Rejections – 35 U.S.C. §§ 102, 103

Claims 1-6 and 12-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,609,196 (Dickinson). Claims 1, 7-15, 20-22, 26, and 30-32 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,209,951 (Goldberg). Assignee respectfully disagrees that the cited references disclose the subject matter of the claims in the instant application.

The Dickinson reference discloses a system and method for controlling e-mail traffic through a firewall. The system disclosed in Dickinson restricts at a firewall all e-mail traffic transmitted from and received by a computing site, regardless of the sender or recipient. Such a system does not disclose the subject matter of amended claim 1, which recites a method for operation on a mobile device for selecting messaging settings on a messaging client. The system in Dickinson would not allow, for example, each mobile device to have its own messaging settings, which the subject matter of claim 1 permits. Claim 1 has been amended to reflect that the method is for operation on a mobile device, in order to further distinguish the subject matter of the instant application from that disclosed in Dickinson. The system in Dickinson is centralized, with a firewall serving an entire computing site. The method of claim 1 is implemented on a mobile device, and thus is performed in a non-centralized manner, further

distinguishing the subject matter of claim 1 from Dickinson. For at least the foregoing reasons, the subject matter of claim 1 is patentable over the Dickinson reference.

With respect to the Goldberg reference, assignee also respectfully disagrees that the reference discloses the subject matter of claim 1. Goldberg discloses offering a user the choice to modify the text of an e-mail message to notify a recipient that a customization setting (e.g., an attachment to the e-mail or encryption of the e-mail) was detected. The system disclosed in Goldberg, though, is expressly limited to modifying the text of an e-mail. Such a system does not disclose the subject matter of amended claim 1, which recites automatically retrieving a messaging setting comprising an indication for encryption or an indication for digital signing based upon the determined recipient of the outgoing message. Giving a user the choice to modify the text of an e-mail message is not the same as automatically retrieving a messaging setting comprising an indication for encryption or an indication for digital signing based upon the recipient of the outgoing message. Thus, Goldberg does not disclose the subject matter of claim 1, and for at least this reason, claim 1 is patentable over the Goldberg reference.

Similarly, Goldberg does not disclose the subject matter of independent claim 20 as amended. In rejecting claim 20 as being disclosed by Goldberg, the office action cites the passage at col. 2, lines 35-62, which reads:

Referring now to the figures and in particular to FIG. 1, a networked computer system within which a preferred embodiment of the present invention may be practiced is depicted in a block To support e-mail functions, an e-mail server 10 is coupled to the network via a network connection 11. Also coupled to the network is a personal computer 12 having a processor 16 coupled to a memory 17 for executing program instructions from memory 17. Personal computer 12 is coupled to a graphical display 13 for displaying program output and input devices such as a mouse 15 and a keyboard 14 for receiving user input. The networked computer system may be coupled to a public network such as the Internet, or may be a private network such as the various "intra-nets" that are

implemented within corporate offices and other installations requiring secure data communications.

Within memory 17, an e-mail program embodying a method in accordance with a preferred embodiment of the present invention is executed by processor 16. Personal computer 12 is included to provide a demonstrative example of a general purpose computer, and it will be understood by those skilled in the art that the techniques of the present invention apply to a variety of other e-mail applications such as dedicated Internet appliances and large mainframe computers having user terminals. The present invention also applies to personal e-mail appliances such as personal digital assistants (PDAs) and e-mail enabled pagers and cellular telephones.

While this passage discloses practicing the subject matter of Goldberg on devices such as personal digital assistants and cellular telephones, the subject matter of claim 20 of the instant application is patentably distinct from the subject matter of Goldberg. In light of the distinction between the subject matter of claim 20 of the instant application and the subject matter of Goldberg as discussed above, claim 20 is patentable for at least this reason over the Goldberg reference.

The office action also rejected claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Dickinson. While acknowledging that Dickinson does not disclose a data storage, an input device, and an output device, the office action indicates that it would have been obvious to a person having ordinary skills in the art at the time the invention was made to recognize the use of such data storage, input device, and output device to practice the subject matter of Dickinson. As discussed above with respect to the Goldberg reference, however, the Dickinson reference does not disclose the subject matter of claim 20. Thus, even if it would be obvious to practice the subject matter of the Dickinson reference on a mobile device such as is recited in amended claim 20 of the instant application, Dickinson still does not render obvious the subject matter of claim 20, namely automatically retrieving messaging setting at a messaging client. Accordingly, claim 20 is allowable over the cited art and should proceed to issuance.

Because the independent claims are allowable, their respective dependent claims are also allowable and should proceed to issuance. It is noted that assignee has not, at this time, presented arguments with respect to a number of the dependent claims in the instant application. Assignee nevertheless reserves the right to argue the patentability of all of the dependent claims in the instant application at a future time, should that become necessary.

CONCLUSION

For the foregoing reasons, assignee respectfully submits that the pending claims are allowable. Therefore, the examiner is respectfully requested to pass this case to issuance.

Respectfully submitted,

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